

Form No. DJ-46a
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

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REMARKS

26 March

For your information.

BN

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

DEPARTMENT OF JUSTICE
ROUTE SLIP

TO	
NAME	BUILDING AND ROOM
1. Mr. Marshall	Rm. 1145
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John: [Signature]
for you - [Signature]

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REMARKS The attached article from the Arkansas Gazette under date of March 23 describes an attorney [redacted] who, it is claimed, is the leading contender for the vacancy on the Eighth Circuit Court of Appeals in St. Louis. Mr. [redacted] comes from a distinguished family of lawyers and judges and at one time served as an assistant in the Attorney General's office in Little Rock with my father. He has a brother here in the Tax Division. He is quite competent but he is no civil libertarian and has been Gov. Faubus' attorney and advisor for some time in the Little Rock difficulties. I am personally fond of him but I thought you should know that he will be no help in civil rights matters.

FROM		BUILDING, ROOM, EXT.	DATE
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A.B. Caldwell		Rm. 1609	3/26/63

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Mehaffy Pick For U. S. Court?

Washington Admits He's Contender

Pat Mehaffy, a Little Rock lawyer and Democratic national committeeman from Arkansas, was reported yesterday to be the top contender for the vacancy on the Eighth United States Circuit Court of Appeals at St. Louis.

The Justice Department confirmed at Washington that Mehaffy was being checked by both the FBI and the American Bar Association's Standing Committee of the Judiciary. Anyone being considered for a federal judgeship must be cleared by both of these groups.

It was apparent that Mehaffy's name had been recommended to the Justice Department by Arkansas Senators John L. McClellan and J. William Fulbright. They control federal judicial appointments involving Arkansans.

It would take a recommendation by one or both senators or there would be no FBI and ABA investigation.

A Justice Department spokesman stressed that "no firm decision" had been made to give Mehaffy the appointment, but sources at Little Rock said he is the only Arkansan being cleared for the job. McClellan and Fulbright declined to comment.

The Court of Appeals has seven judges and serves Arkansas, Missouri, Iowa, Minnesota, North Dakota, South Dakota and Nebraska. It is the appellate court for the federal District Courts in those states.

There has been a vacancy on the Court of Appeals since January 1, 1961, and it is generally understood that the position will go to an Arkansan. The state has not had a judge on the Court of Appeals since the death of Walter G. Riddick Sr. on July 31, 1962.



PAT MEHAFFY

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Miller Ruled Out

Federal Judge John E. Miller of Fort Smith was the leading candidate for the position until last June, when he was ruled out by the Justice Department because of his age. He is 74.

After that, the names of five lawyers were mentioned in legal circles as being under consideration for the vacancy. Mehaffy was one and the others were E. J. Butler of Forrest City, Edward L. Wright of Little Rock, Tom Harper of Fort Smith and Dr. Robert A. Leflar, who holds the title of distinguished professor.

(See COURT on Page 2A.)

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Court

(Continued from Page 1)

of law at the University of Arkansas.

Senior Partner

Mehaffy, 38, is the senior partner of the law firm of Mehaffy, Smith, Williams, Friday and Bowen. There are 16 attorneys associated with the firm, making it the state's largest.

A native of Little Rock, Mehaffy attended both Hendrix College and the University of Arkansas, where he was a classmate of Senator J. William Fulbright. He left the U of A before finishing, but later attended night classes at the Arkansas Law School at Little Rock and graduated in 1927.

Mehaffy served as a assistant attorney general from 1929-35, then moved to the Pulaski County prosecutor's office as chief deputy. In 1938 he was elected prosecuting attorney and served two years.

In 1940, Mehaffy joined the law firm of Donham, Fulk and Mehaffy and has been there ever since. Henry Donham died, Martin K. Fulk joined another law firm and Mehaffy moved up to senior partner.

Variety of Clients

Mehaffy describes his law firm as a diversified business that handles everything but criminal matters. The firm represents a large number of insurance companies and contractors and Mehaffy himself is the general counsel for the Missouri Pacific Lines in Arkansas and Oklahoma. Other clients range from the First National Bank of Little Rock to the Oaklawn Jockey Club of Hot Springs.

The Mehaffy firm does a big business in approving bonds, and two of its lawyers, Herchel H. Friday Jr. and Robert V. Light, represent the Little Rock and Dollarway School boards on desegregation litigation.

The law firm represents companies in labor-management matters and has no labor unions among its clients.

Close to Faubus

The Mehaffy firm is close to the administration of Governor W. Faubus, and Mehaffy says frankly that the firm tries to render any assistance the governor asks for. One of the firm's partners, William J. Smith, is Mr. Faubus' legislative secretary and legal adviser.

A short, congenial man with a husky voice, Mehaffy doesn't handle many lawsuits personally any more, but concerns himself primarily with running the law firm.

He comes from a family of lawyers. His father, Tom M. Mehaffy, served 15 years on the Arkansas Supreme Court. A brother, James W. Mehaffy was elected to the Supreme Court in 1936 but was killed in an automobile accident before he took office. Another brother, Charles Mehaffy, is an attorney in the tax division of the Justice Department at Washington.

Mehaffy was named Democratic national committeeman in 1960, and last year he helped organize the campaign for Senator Fulbright and the representatives who had opposition in the general election.

Mehaffy is married to the former Kathryn Kurtz of North Little Rock. They have two children and three grandchildren. Mehaffy is a Methodist and a Mason.

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All Assistant Attorneys General

March 25, 1963

Q 78
Andrew F. Oshmann
Executive Assistant to the Attorney General

The Attorney General desires to discuss at the next staff luncheon he attends Judge Kaufman's letter of March 13 (a copy of which was furnished you on March 18th) in which Judge Kaufman suggests a program of training young lawyers in trial work.

copies to:

Mr. Katzenbach
Mr. Cox
Judge Loevinger
Mr. Douglas
- Mr. Marshall
Mr. Miller
Mr. Yeagley
Mr. Clark
Mr. Oberdorfer
Mr. Schlei
Mr. Andretta

J Misc.

MAR 26 1963

Dr. John A. Hannah
Chairman
United States Commission
on Civil Rights
726 Jackson Place, Northwest
Washington, D. C.

Dear Dr. Hannah:

In view of the question asked the President in his news conference last week, I have been asked through Mr. [REDACTED] whether there has been any change in the situation which affects my views as to the propriety of the Commission holding public hearings in Mississippi at this time.

In my view, the reasons against such a step which are set forth in my letter of December 15 to you on this subject are still valid. Preliminary motions in the contempt case before the Court of Appeals have been argued. One of the major matters under submission to the Court now is the question whether or not a jury trial will be necessary. Although the Department expressed its view to the Court that trial by jury is not necessary, the Court has thus far given no indication of what its views are on this question.

While this case is pending, I continue to hold the view that a public hearing in Mississippi by the Civil Rights Commission would not be appropriate.

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In the meantime, I hope that the work of the Commission staff can continue as in the past on the question of the operation of federal programs in Mississippi as elsewhere.

If the Commission wishes to meet with me or my representatives concerning any of the work of the Department of Justice in Mississippi, in connection with voting matters or otherwise, I would be glad to arrange that at your request.

Sincerely,

Attorney General

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If the Commission wishes to meet with me or my representatives concerning any of the work of the Department of Justice in Mississippi, in connection with voting matters or otherwise, I would be glad to arrange that at your request.

Sincerely,

Attorney General

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Miss.

29 March 1963


New York 22, New York

Dear 

The case you asked me about is in the Lands Division. Ramsey Clark will be in California on April 8-10. If you are coming down here anyway, he suggests that you see Harold S. Harrison of his Division. I am sure Mr. Harrison will be glad to see you.

Mr. Clark will be glad to see you when he is in town. You could simply write for an appointment.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

DEPARTMENT OF JUSTICE

CIVIL RIGHTS DIVISION

ASSISTANT ATTORNEY GENERAL

MISCELLANEOUS CORRESPONDENCE

MISCELLANEOUS

April 1963 - June 17, 1963

600 DINE TERNHALL BUILDING
CINCINNATI 2, OHIO

*Miss
file*

April 1, 1963

Dear Burke,

Thank you very much for sending the detailed materials in connection with the recent problem at the University of Mississippi. My son and I have reviewed these with great interest, and it gives him exactly what he needed to defend your position against the onslaught of Fourth Formers in various New England schools.

With best regards.

Sincerely yours,

Hon. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

Misc.

[REDACTED]
[REDACTED]
HOUSTON 2, TEXAS

[REDACTED] April 1, 1963 [REDACTED]

Burke Marshall, Esquire
Assistant United States Attorney General
Department of Justice
Washington 25, D. C.

Dear Burke:

I thank you very much for your note advising that you had arranged for me to see Herbert J. Miller at 9:30. I will call you on Wednesday morning to see what your schedule is, as needless to say, I would also like to visit with you.

Looking forward to seeing you, and with every good wish, I am

Sincerely yours,
[REDACTED]
[REDACTED]
[REDACTED]

DEPARTMENT OF JUSTICE

ROUTING

TO	
NAME	BUILDING AND ROOM
1 Mr. Marshall	
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☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

Burke:

I don'y really think a lot of
the three judge suggestion.

John

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

DEPARTMENT OF JUSTICE
ROUTING SLIP

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REMARKS

*I don't really
think. Let's
let 3 finish
in 30 minutes*

FROM

NAME

BUILDING, ROOM, EXT. DATE

THE UNIVERSITY OF WISCONSIN
LAW SCHOOL
MADISON 6, WISCONSIN

Misc

April 2, 1963

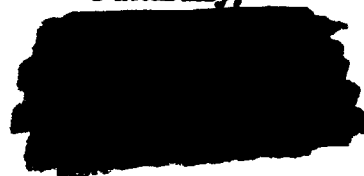
Mr. Burke Marshall
Assistant Attorney General
for Civil Rights
Department of Justice
Washington, D.C.

Dear Burke:

Thanks a lot for the session Thursday afternoon. I would be the first to concede that you have got more to do than you conceivably can accomplish in a lifetime. I am ready to concede, too, that the manner in which you have deployed your limited forces is not one with which I can really quarrel in any important way. Nevertheless, I do hope that several of the suggestions in my memo may deserve some further consideration. John Doar, I think, was quite interested in the possibilities of the three-judge proceeding, and I am satisfied that it is at least worth a whirl in some situations.

Good luck and thanks again for the meeting.

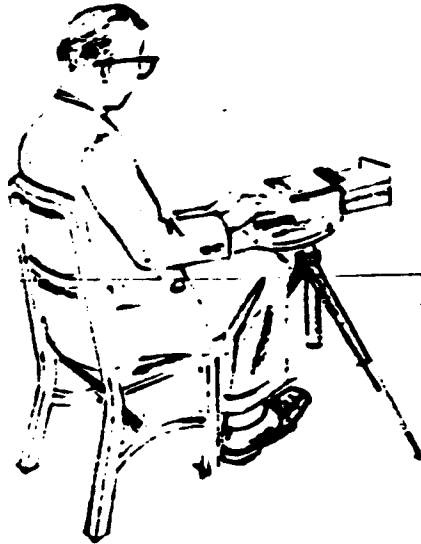
Faithfully,



John Doar

Misc

**STENOTYPE TRANSCRIPT
OF
PRESS CONFERENCE**



ALDERSON REPORTING COMPANY, INC.

General Stenotype Reporting

Washington, D. C.

306 Ninth St., N.W.

NA. 8-3406

PRESS CONFERENCE NO. 53

OF

THE PRESIDENT OF THE UNITED STATES

4:00 P.M.

Wednesday, April 3, 1963

Auditorium

State Department

Washington, D. C.

In Attendance: 327

THE PRESIDENT: Good afternoon.

QUESTION: Are you ready to start, sir?

THE PRESIDENT: Yes, sir.

QUESTION: Mr. President, when a government department feels it necessary to check on a news story that is displeasing to that department, how do you feel about using lie detectors on men you have appointed to office?

THE PRESIDENT: Well, are you talking about a hypothetical case or an actual case?

QUESTION: I am talking about a case that started at the Pentagon, but was called off today.

THE PRESIDENT: So, Well, I think that the case Secretary McNamara was asked to investigate how this Air Force document was put out to the press. And at the suggestion of the committee, investigation was begun. I think that it was a mistake to suggest a polygraph, and I think Secretary McNamara, when he learned that in the investigation that the document was suggested which would indicate that the witness might be willing to accept a polygraph, I think he decided that that was in error, and he and Secretary Zuckert changed it. So I don't think we need concern ourselves in the future about it. As a matter of fact, no polygraph was given.

bfile

QUESTION: Mr. President, do you intend to support SEC staff recommendations for legislation designed to curb certain abuses in the securities industry?

THE PRESIDENT: I will have to see the recommendations when they come to the White House and then we will have a chance to look at it and then I can give you a better answer, after we have examined it.

QUESTION: Mr. President, two weeks ago you said you wanted to wait until the end of March before taking another look and saying something about the Soviet troops in Cuba. Do you have any new information for us on how many have been pulled out and what can be done to get the rest of them out?

THE PRESIDENT: Well, we estimate that 5,000 Soviet troops left in November, immediately with the missiles, and with the bombers. And we estimate that in the last month approximately 4,000 Soviets have left. If we accept the figure which was always a rough calculation that there were 21,000, 22,000, Soviets there at the height of the crisis, we could get some idea of where approximately we think the figures are today.

It is bound to be a generalized figure because is it impossible to take a detailed head count. That still leaves some thousands on the island. We hope they are going to be withdrawn and we will continue to observe very closely in the next days, the immediate weeks ahead, whether there are going to be further withdrawals which, of course, we wish for.

C-1 follows

QUESTION: Mr. President, again two weeks ago you indicated that the situation in Korea had not yet hardened to a point where any talk by you would be helpful. There does appear to have been a hardening situation in the meantime. Would you say how you feel now about the continuation of military rule in Korea?

THE PRESIDENT: As you know, the conversations have been going on between the military group and the civilian opposition. It is our hope that a situation will develop which will permit the blossoming of democratic rule, in responsible and stable democratic rule in South Korea. These conversations have not finished. The United States Government feels that this is a finally, in a final sense, a decision for the people of South Korea. We indicated what our hopes are, but this is a judgment which the people of South Korea must make, and the responsible officials in South Korea. In any case, it is our hope that an accord will be reached between the military group, its chairman, and the civilians, so that we will see in the future a merging pattern of democratic rule. But as of today, the situation is not clear.

QUESTION: Would you be willing to discuss with us, sir, the political and military difficulties of preventing these hit and run raids by Cuban exiles who believe they are striking a blow for freedom?

THE PRESIDENT: Well, obviously Florida is a long coast, and it is possible for some people to go from Florida and strike at a target and come back. We have attempted to discourage it for a number of reasons. We believe it is ineffective. There was a raid conducted in Cuba, left around the 17th, I think, the evening of the 17th and 18th, that shot at a Soviet merchant ship as a target of opportunity. It returned, a number of the people who took part in came to Washington and held a press conference. It does not seem to us that this represents any real blow at Castro. It gives additional incentives for the Soviet Union to maintain their personnel in Cuba, to send additional units to protect their merchant ships. It is not controlled. No one in a position of responsibility knows about it. So that it will bring reprisals, possibly on American ships. We will then be expected to take a military action to protect our ships, which may bring a counter action.

D file

I think that when these issues of war and peace hang in the balance, that the United States Government and authorities should -- and when American territory is being used -- should have a position of some control in the matter. So we don't think that they are effective, we don't think they weaken Castro, we don't think a rather hastily organized raid which maybe shoots up a merchant ship or kills some crewman, comes back, holds a press conference, it doesn't seem to us that that represents a serious blow to Castro and, in fact, may assist him in maintaining his control.

Now, I want to contrast that kind of action with action of some other Cubans, and I don't criticize these men who took part in this. They are anxious to see their island free, but we just don't feel that this advances their cause. I contrast that with some others.

For example, between 400 and 500 members of the brigade who were prisoners, who were at the Bay of Pigs, have joined the United States Army, 200 as officers and 250 as men who are now in training, and who I think will be very fine soldiers, and can serve the common cause. The head of the -- the Commander of the brigade, Oliver, who is a Cuban, a Negro, got all of his marks at 100 in joining the service. So I think there are a good many very determined, persistent Cubans who are determined that their island should be free, and we wish to assist them.

We distinguish between those actions which we feel advances the cause of freedom and these hit-and-run raids which we do not feel advances the cause of freedom and we are attempting to discourage those.

QUESTION: Mr. President, two weeks ago six Republican members of the Joint Economic Committee, House and Senate, wrote you a long letter of suggestions about Federal expenditures, including a request that you establish a Presidential Commission on Federal Expenditures, somewhat similar to the Clay Commission on Foreign Aid. What would be your position on that suggestion?

THE PRESIDENT: Well, I think we have the Bureau of the Budget which oversees and gathers together all of the recommendations which we wish to make for programs. We then submit it to the Congress, the House and Senate, and they -- finally appropriate the money. We do not. So that the House and Senate has its opportunities with its staff, the Appropriations Committee. We have probably the most effective staff in Washington, for the amount of work they do and the men

employed. in the Bureau of the Budget. I am very satisfied with this procedure.

QUESTION: Mr. President, is it valid, sir, for the Government to give a defense contract to a firm in order to keep that firm as part of the production arsenal of this country; and (2) did that happen in the case of the TFX award to General Dynamics?

THE PRESIDENT: No to the last part. In the first case, if it is a hypothetical case, I would say it would depend on the circumstances, how great the need is. Is it for particular kinds of tools which we might need in the case of an emergency? I can think of cases where it would be valid. It has nothing to do with the TFX.

QUESTION: Mr. President, even though this is a new Congress hasn't it in its three months of life made a very low record of accomplishments, and what do you think is the trouble?

THE PRESIDENT: Well, I must say that I am familiar with these stories in March and April that the Congress isn't doing anything, and I think this Congress is going to act on the major pieces of legislation.

The House Ways and Means Committee is now considering the tax bill. The House Rules Committee reported out the bill for aid for medical construction and education today in the House. The Senate this afternoon is considering the transit bill. It will be considering in the next few days the Youth Employment Opportunities Bill.

So I would say that you will see in April and May and June a good many important pieces of legislation coming to the Floor. But I think that this is, if I may use that word again, a rhythm of January and February, and then March the story starts to be written about the Congress not doing anything in April, and then in May we begin to get some bills to the Floor and some are defeated and then there are those stories about Presidential leadership.

It follows

QUESTION: Is there a lesson in the recent newspaper strike that might lead to the settling of labor disputes in this particular industry by means other than strikes in the future?

THE PRESIDENT: No, I don't see it. I think that unless the unions and the employers are ready to accept compulsory arbitration and there is no indication that either would be, I don't see that we are going to be able to set up any mechanical operation which would stop a city strike.

Now, a state may want to set up emergency procedures, which the Federal Government has in cases affecting the national health and safety. That's a state judgment. But I don't see any federal actions that can be taken. I do feel looking at that strike, that that strike could have been settled many days before it was, on conditions quite similar to what was finally accepted. But neither side were prepared to take those actions which would have brought it to an end. But I don't see any mechanical changes we can make in laws which would affect the situation.

QUESTION: Mr. President, Israel has been evidencing growing concern over the manufacture of missiles in Egypt, and unofficially has asked the United States to use its good offices with Bonn to discourage the use of German scientists in this endeavor.

Can you tell us anything about that point, and secondly, can you tell us anything about Israel's requests for more armaments from this country?

THE PRESIDENT: Well, as you know, the German Government itself has indicated its displeasure and there is some question of whether it may be a breach of the law, the German scientists who are working on missiles, air engines and airframes for the U.A.R. There are not a great number of them, but there are some of them, and of course, they do affect the tensions in the Middle East. So I think this matter has been very strongly brought to the attention by the Israeli Government and by other interested parties who are seeking to diminish rather than increase the arms race in the Middle East.

Now, on the question of what military assistance we would give the Israelis, as you know, the United States has never been a supplier of military equipment directly to the Israelis. We have given economic assistance, the Israelis

themselves have bought equipment, a good deal of it from France. We will just have to see what the balance of the military power may be in the Middle East, as time goes on. We are anxious to see it diminished rather than participate in encouraging it.

On the other hand, we would be reluctant to see a military balance of power in the Middle East which was such as to encourage aggression rather than discouraging it. So this is a matter which we will have to continue to observe. We have expressed our strong opposition to the introduction or manufacture of nuclear weapons in the Middle East, and we have indicated that strongly to all of the countries. So we have to wait and see as the time goes on. At the present time, there is a balance which I think would discourage military action on either side. I would hope it will continue.

F-1 follows

QUESTION: Mr. President, General Eisenhower has taken a crack at the national budget. He told Charlie Halleck in a letter that he thought it could be reduced by about \$13 billion. The General was especially critical of your space program. He said that there were enormous sums being wasted in that field. Would you care to comment?

THE PRESIDENT: Well, I think that President Eisenhower referred us to Morris Stamps, his budget director, for guidance, and I have examined that record. Under Morris Stamps, this country had the largest peacetime deficit in history. It took a \$500 million surplus and put it into a \$12.5 billion deficit. It had the largest outflow of gold in dollars in our history, 1959, about \$3.9 billion. We had two recessions, 1958 and 1960, and we had the highest peacetime unemployment, 1959, since World War II. That is not a record that we plan to duplicate if we can help it.

Secondly, the United States Congress almost unanimously made a decision that the United States would not continue to be second in space. We are second in space today because we started late. It requires a large sum of money. I don't think we should look with equanimity upon the prospect that we will be second all through the Sixties and possibly the Seventies. We have the potential not to be. I think having made the decision last year, that we should make a major effort to be first in space. I think we should continue to do so. President Eisenhower -- this is not a new position for him. He has disagreed with this at least a year or year and a half ago when the Congress took a different position. It is the position I think he took from the time of Sputnik on. But it is a matter on which we disagree. It may be that there is waste in the space program. If there is waste, then I think it ought to be cut out by the Congress, and I am sure it will be. But if we are going to get into the question of whether we should reconcile ourselves to a slow pace in space, I don't think so. This Administration has concentrated its attention since it came into office on strengthening our military. That is one of the reasons why you could not possibly put in the cut which has been recommended, nine or ten billion dollars, without cutting the heart out of the military budget. The fact of the matter is when we came into office, we had 11 combat ready divisions, and we now have 16. We increased the scheduling on Polaris, nearly double per year. We increased the number of planes on the 15 minute alert from 33 per cent of our strategic air force to 50 per cent. In a whole variety of ways -- in the Navy we have added about 46 vessels, and strengthened ourselves in defense and

and space.

In non-defense expenditures, we have put in less of an increase in our three years than President Eisenhower did in his last three years. I am concerned that we are not putting in enough, rather than too much, because the population of this country is growing, 3 million people a year. I think we ought to go ahead with what we are talking about. We ought to have effective tight budget control, which we have tried to have. The Congress may be able to improve on it. But this idea that you can cut the budget wholesale without cutting national programs, and, No. 2, taking \$9 billion out of the economy is just bound, in my opinion, to put you on an economic decline instead of a rise. I think we ought to recognize that the percentages of our budget expenditures as a percentage of our gross national product are about the same as they were all through the Fifties. The budget may have gone up because the country is growing and the population is growing, but so is our gross national product. The debt as a percentage of our gross national product is steadily declining. I think we are in good position, providing we can prevent an economic decline of the type we had very rapidly in 1958 and 1960. I think we can do that if we have effective programs of the dimensions we are talking about, plus the tax cut, because we have to have, just to absorb the people coming into the labor market, we have to have a 25 million dollar increase in our gross national product to absorb the people coming into the labor market, let alone cut down the unemployment. So that is my view of the matter.

G. Fols

QUESTION: Mr. President, as you know, we have had difficulties lately in both Guatemala and Argentina, two countries which under the Alliance for Progress were making efforts to get on their feet economically and politically. I wonder how you feel about these developments? Do you regard these as symptomatic of the problem the Alliance is trying to attack?

THE PRESIDENT: I think so. I do regard it as symptomatic. There is instability, part of it through the hemisphere comes from maldistribution of wealth, part of it comes from inadequate wealth, part of it comes from the fact that they have been in a depressed state really since 1957 and 1958, because of a drop in commodity prices. Part of it comes from illiteracy and it is very hard to maintain a democratic form of government as we have seen even in Western Europe, which has many advantages. So to do it in Latin America, with so many disadvantages, is extremely complicated. Great progress has been made, and a good many democratic governments now exist, and I saw one of the finest in Costa Rica the other day, but I certainly would agree with you that what is happening in Guatemala and Argentina is symptomatic of the challenges which face us in this hemisphere and which the Alliance is trying to meet.

QUESTION: Mr. President, Venezuela has said it does not intend to recognize the new government in Guatemala because it took power by force. This is a recurring problem in various places. Are we going to have any consistent or uniform policy on whether or not to recognize governments that take power by force?

THE PRESIDENT: No, we haven't got a consistent policy, because the circumstances sometimes are inconsistent. What we are interested in now is what assurances we get as to when a democratic government -- or when elections will be held. This government which has taken over in Guatemala has indicated that it will provide a return to democratic rule. When we have a clear idea of that and also what the position will be of the other Central American countries who are so intimately associated in the Common Market and other ways, we will then be able to make a judgment as to whether it is in our interest to proceed ahead.

QUESTION: Mr. President, we have a brand new issue in Kentucky in the Democratic primary. The question is: How much time Governor Chandler spent with you on Monday. Mr. Salinger, and Mr. O'Donnell was there, said you popped out and shook his hand. Mr. Chandler got back in Kentucky and said he spent one half an hour with you and he said Mr. Salinger has stopped managing the news and is now not telling the truth. Can you tell us how much time you spent with Mr. Chandler?

THE PRESIDENT: Well, I have never attempted -- Governor Chandler called up and talked to. I think, Mr. O'Donnell on Monday morning and he said he was in town and he was there with his wife and two sons and his granddaughter and would like to pay a friendly call. And I was glad to see the former governor and senator and one whom I have known for a good many years. So I was delighted to have him by and I wouldn't possibly clock him.

H-1 follows

on assumption of power in other states

religion (if that was wanted). It would prohibit the sale or serving by discriminators of goods or materials which were in whole or in part the product of other states, and/or which had moved in interstate commerce in their movement to ultimate consumers. Similarly for the exhibition of films, or even of performers, which or who had so moved. Remedy would be suit for injunction by Atty. Gen. or U.S. Atty., injunction to be against sale, serving, exhibition, for a stated period (not less than one day or one week), with injunction periods increasing on showing of subsequent discrimination and subsequent sale, serving, etc. of such goods. Hotels could be dealt with on basis of providing accommodations for persons travelling in interstate commerce, with registration (truthfulness required) from address in other state creating presumption guest was travelling in interstate commerce.

Such legislation would have many precedents, and would not fly in the face of the Civil Rights Cases. Injunction remedy would have obvious procedural benefits, would have effectiveness in going to the pocketbook by closing down (in effect) for a stated period, making it the easier to police. Statute could, if wanted, authorize injunction against use of other facilities of interstate commerce (telephone) though that's pretty rough when possibility of emergencies considered. Of course, there could be classifications if wanted on basis of size of establishment, and exclusions, if wanted, such as private clubs. But the principle, and mechanism, seems to me sound and easy, and I should think much better than a 14th Amdt. basis.

Yours,



UNITED STATES GOVERNMENT

Memorandum

Miss.

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division
FROM : E. Barrett Prettyman, Jr.

DATE: May 31, 1963

SUBJECT:

[REDACTED], my former Muslim client, called me this morning on another matter and during the course of conversation suggested that it might be helpful for him to chat with me sometime soon on the current situation in the District. I told him he could come in at 2:00 P. M. today. He then said, "Don't you think it would also be helpful if you talked to Malcolm X?" I told him I would let him know.

I will follow your suggestion completely as to whether I ought to make this contact. I can easily get out of it by saying that I would like to talk to him but at some future date when I was better prepared or had more time. On the other hand, if you want me to talk to him, [REDACTED] would be a good lead-in, since [REDACTED] is totally in my camp.

Alice

Barrett Prettyman called:

I did not talk to Malcolm X today, but probably will next week. Most of the news I got today was the normal gossip plus the fact that Billy Sol Estes met with Malcolm X yesterday. As soon as I get a report from Malcolm X, I will call you.

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: May 27 1963

JW FROM : J. Walter Yeagley
Assistant Attorney General
Internal Security Division

SUBJECT: Inspection Tour of the Department's Relocation Site

The following information concerning the visit to the Department's relocation site is furnished for your guidance.

Arrangements have been made for a trip by helicopter to the site and return on May 29, 1963, weather permitting, for the following Department officials:

John W. Douglas, Assistant Attorney General, Civil Division
Burke Marshall, Assistant Attorney General, Civil Rights Division
Horbert A. Schlei, Assistant Attorney General,
Office of Legal Counsel
J. Walter Yeagley, Assistant Attorney General,
Internal Security Division
Raymond F. Farrell, Commissioner,
Immigration and Naturalization Service
Herman G. Moeller, Assistant Director, Bureau of Prisons
John E. Nolan, Jr., Administrative Assistant
to the Attorney General

The helicopter is scheduled to leave from the Pentagon Helicopter Pad at 10:00 A.M., May 29, 1963, arriving at the Department's relocation site at approximately 10:45 A.M. After a tour, briefing and lunch at the facility, the helicopter will return to the Department of Defense, arriving at approximately 2:30 P.M.

Transportation will be provided from the Main Justice building to the Pentagon Helicopter Pad, departing from the Attorney General's entrance (10th and Constitution) at 9:40 A.M. promptly. You are reminded to have with you the access badge which has been issued to you.

*Linda -
I doubt I will have
time for*

Burke Marshall
Assistant Attorney General
Civil Rights Division

May 27 1963

J. Walter Yeagley
Assistant Attorney General
Internal Security Division

Inspection Tour of the Department's Relocation Site

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Miss.

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JUNE 1, 1963

Mr. Burke Marshall,
Assistant Attorney General,
Department of Justice,
Washington, D. C.

Dear Mr. Marshall:

I set aside the first few days after the Methodist Ministers' Seminar to send out our letters of appreciation, but illness on the part of two of my staff left us handicapped with the huge task of keeping our reports on the supply ministers going out to the ninety-two Methodist conferences. Now that nearly all the annual sessions come in the Spring during the period between April 15th and June 30th instead of half in the Spring and half in the Fall, the pace during this season almost becomes a running gait all the time.

One of the problems ministers are especially confronted with these days is the problem of Civil Rights. We are deeply troubled that the Church has often dragged its feet at this point, and we are grateful for the help and added concern you gave our men in the briefing session. Some day we hope that our churches will be able to lead in the quest for the greater justice for all Jesus sought to bring into the world.

Thank you indeed for your help, the insights given our men, and the time you took for our program.

Sincerely yours,

Harley H. Zeigler
Harley H. Zeigler.

HHZ:self

SIXTEENTH ANNUAL
Methodist Ministers' Seminar

Washington, D. C., April 23-25
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1963

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May 28, 1963

Mr. Burke Marshall, Assistant Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Marshall:

I think you should know about something rather curious which happened at Jimmy Baldwin's apartment house yesterday morning.

The superintendent of the building reports that two FBI men requested him to grant them admittance to Jimmy's apartment. They wished, as I understand it, to look at Jimmy's files. The superintendent refused to unlock the door for them, but said that, of course, they could break the door down, but only if they got a policeman to stand by while they did so. The two men decided it wasn't that important, and went away.

What the meaning of this may be we find difficult to imagine, but we do want to have it on the record with you that it did happen, and would be extremely grateful if you could discover for us what it was all about.

Apart from that, do let me re-emphasize what Jimmy has told both you and the Attorney General - he stands ready to confer or assist in any way he can in the future.

Sincerely yours,

Bob Mills
Robert P. Mills

RPM/fm

*Dear Bob,
I think the matter of the
supposed FBI visit is cleared up, but
I wanted to assure you better anyway.
Best regards,
Bob*

miss
3 June 1963

Mr. Robert P. Mills
General Artists Corporation
640 Fifth Avenue
New York 19, New York

Dear Bob:

I think the matter of
the supposed FBI visit is cleared
up, but I wanted to answer your
letter anyway.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

CHRISTIANITY and CRISIS

A Christian Journal of Opinion

WAYNE H. COWAN
MANAGING EDITOR

Christianity and Crisis

537 WEST 121ST STREET
NEW YORK 27, N. Y.

MONUMENT 2-8000

Europe in Transition

The ebb and flow of events in Europe since World War II can scarcely conceal the movement of history. Europe, through national will and fruitful cooperation, has rebuilt its economy, revived its political institutions and recovered some of its ancient values. The first decade of the postwar era was one of inescapable dependence upon the United States; the first 15 years were years of profound interdependence. By 1963, however, Louis Halle could write: "We have gone beyond the postwar period."

The cause of this change was more deep-seated than that of the earlier change inaugurated by the disappearance of the monopoly of American nuclear power. It stems from the reawakening of a sense of independence throughout Europe. Ironically, this growing awareness of the end of dependency upon Anglo-American resources coincides with emerging unity in Europe. As Europe grows stronger and as time passes without further westward advance of the Red Army, fear of the imminence of the Soviet threat diminishes. Since anti-Americanism or reaction against a too-powerful, if friendly, neighbor is in inverse proportion to the menace of Russian imperialism, American policy-makers confront new attitudes that raise new problems. Surely parents are familiar with the revolt of children at the moment when their sense of security is greatest.

Evidence of this change in attitude is not hard to come by. President de Gaulle makes use of press conferences that verge on monologues to score points. He plants seeds of doubt that American power will remain on the European continent. He asks whether any

European state without its own nuclear deterrent can defend itself adequately. His opposition to Britain's entry into the Common Market reflects a reaction as much against American-British solidarity as against Britain itself. When France was weak, divided from within over Algeria and disunited over its response to the Soviet threat, its leaders would not have been so open in their resistance to the supremacy of the English-speaking world.

Yet General de Gaulle speaks for a body of opinion stronger and more widespread than his French followers. Its politics and grievances are varied and diverse. The Earl of Sandwich writing in *The Observer* charges: "The amount of damage the USSR has done to Britain . . . is infinitesimal. I cannot feel the same way about the position of the U.S."

Frustrations and injured pride of once mighty colonial powers prompt rationalizations of losses and failures by spokesmen who point the finger at American would-be emancipators of the new states. The political Right in Europe reminds its listeners that tensions in Africa and Asia are frequently the result of American interference. At the same time, the political Left gains strength in Italy and France (one out of four electors voted Communist in the recent Italian election). They exploit the Sino-Soviet split by urging Socialists and moderate Leftists to reconsider "popular frontism" as the source of independent politics.

Yet beneath the surface of European politics profound unities persist that cut across the whole of Western civilization. The Left and Right in Europe have more in common with one another than the relative

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+ energize the hand

pressed doubt that "the market will support a price rise." Whether the market would support it or not was hardly as important as whether Mr. Homer would support it. The market imposes some restraints upon large, oligopolistic producers—foreign imports, aluminum, concrete and plastics do compete with some kinds of steel—but the market also leaves large areas of discretion to the managers.

Able to set their prices rather than respond to a price given by the market, steel managers have come to believe that their firms are "entitled to a fair profit." A believer in the free, competitive market might be excused for thinking that businessmen are entitled only to earn profits. They earn them for innovations and technical inventiveness, for meeting competition by providing better service and lower prices, and by supplying sound management.

In devoting only 0.6 per cent of sales in 1961 (and only 0.9 per cent in 1958) to research and development, while the average for all industries was three per cent, steel managers hardly seem interested in increasing profits by improving service and products. One steel economist even complained to the *Wall Street Journal* that the lipstick industry probably spends more on research than steel does. By lagging behind European mills in introducing the latest production methods and equipment (invented abroad and not here), by maintaining and raising prices in the face of persistent overcapacity and competition, and by loading employment rolls with high-salaried, high-overhead white collar workers, American steel managers are hardly conducting their business in a

way to earn profits. That they make profits may be more a credit to their power to raise prices willy-nilly than to their abilities as managers.

If steel managers are criticized for their recent decision to raise prices, we might wisely address ourselves to the job, begun but now abandoned by President Kennedy, of defining responsible exercise of private power. Business, labor and government officials are stumbling from decision to decision, making policy for wages and prices without guideposts or guidance. The guideposts suggested in the 1962 Economic Report may be less than adequate, but we do need procedures for exploring the several values and the varied responsibilities involved.

The search for such procedures will not be peaceful or happy; we will no doubt have to endure more clashes and bitter argument. As in the steel price confrontation of last year, businessmen seem prepared to interpret any questioning of their actions as a destructive attack upon them and the business system. They resent even Congressional attempts to get cost and pricing data that would shed light on their policies.

A definition of wider responsibility by private industry, defined through public debate, is nonetheless required. Congressional reviews of key settlements, special commissions to examine industrial price changes, or Presidential conferences of business, labor and public representatives would at least provide us with more of the necessary information about the basis of business decisions. Such explorations would contribute to our understanding of the problem and might forward a reconciliation of public and private responsibilities.

Christianity and Crisis

Misc.

Mr. M:

When I talked with [REDACTED] yesterday to see if I could be helpful in your absence, he (as nearly as I could tell) had two points to make:

(1) if a meeting of the businessmen in Tuscaloosa, including some others*than have been discussed before, would be helpful, he stands ready to arrange same.

(2) if he could be responsive to the Attorney General by meeting with him personally, he stands ready to do that at a minute's notice, and will re-arrange his schedule accordingly.

He said a great deal more, but basically I think this is what he called about.

1

*president of the largest industry in Tuscaloosa, etc.

1

Misc.

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Misc.

Edgar M. Ford, Chief
Administrative Services

June 3, 1963

WJH:vqb

William J. Holleran, Executive Assistant
Civil Rights Division

Use of Room 1630

This confirms our phone conversation that the Civil Rights Division will have the use of Room 1630 from 9 to 9:30 every morning beginning June 6 through August 2, with the exception of Mondays. As I told you, the room shall be used for a daily indoctrination session for the summer employees in connection with our voting record program.

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	NAME	BUILDING AND ROOM
1	Burke Marshall	Rm. 1145
2		
3		
4		
5		

- | | | |
|---|---|---|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> COMMENT | <input type="checkbox"/> PER CONVERSATION |
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| <input type="checkbox"/> SEE ME | <input type="checkbox"/> NOTE AND RETURN | <input type="checkbox"/> NOTE AND FILE |
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| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

I will call you about this.

FROM

NAME

Bill Geoghegan

BUILDING, ROOM, EXT.

DATE

6/5/63

Mice.

May 28, 1963

Dear Bill:

In accordance with our conversation today at the Federal Bar luncheon I enclose several items relating to the International Congress of Judges, which will be held at The Hague June 10-14.

- (1) Provisional program.
- (2) Rough draft of suggested form of letter from the Attorney General to the President of the Congress.

The Congress in the past has been essentially a meeting of representatives of Judges' Associations of the Civil Law countries. In 1958 for the first time others were invited and I attended as an "observer," representing the Faculty of New York University Law School and the Institute of Judicial Administration. Only one minor court English Judge attended.

This year, as a result of some effort, six American Judges will attend: three federal and three state court Judges. It is not a "delegation" but we expect to cooperate in using the opportunity to make friends and clarify American legal and constitutional problems.

I think it would be useful for the Attorney General to send greetings to the Congress and make a few brief observations as to the place of judges and courts in maintaining the rule of law and enforcing equal protection under law.

Only to be helpful and based on my first hand knowledge of the group, I attach a very rough draft which may be useful to your staff in drafting a letter. Two things I would emphasize:

- (1) Our respect for their systems and our debt to all the ancient systems of law.
- (2) Candid recognition that we have fallen short but that all the forces of the Federal Government are directed at achieving equal justice under law.

I believe the letter should be addressed to:

The Honorable
P. H. Smits, President of The International
Congress of Judges

with appropriate references to the sponsoring organization,
The International Union of Judges, since this meeting is a
Congress or conference of the component Unions of Judges of
the various countries.

While we have no Chairman of the United States "delegation"
I intend as the senior judge of the group to call an early
meeting to acquaint the others with contents of any letter the
Attorney General may write, and point out that we will have
many questions put to us about Birmingham and Oxford.

Cordially,

W. A. Geoghegan

Honorable William A. Geoghegan
Department of Justice
Washington, D.C.

Proposed Form of Greeting

Dear Mr. President:

I extend to you and your colleagues of the International Congress of Judges my warm greetings and best wishes for a constructive meeting at The Hague to advance the effective administration of justice in all our countries.

People everywhere seek to substitute the rule of law for the rule of force as between nations but we must never forget that equal justice begins literally at our doorsteps. We do not always reach the ideal but the important thing is that we express our standards and continue the struggle to achieve them. Every country and every system of laws has its imperfections but it is heartening to see judges from many nations and different systems meet with the common objective of improving the mechanisms of justice and the ultimate fruits of a system of justice. Legislatures can enact the laws, the executive branches of government enforce the laws, but each of these must be supported by strong independent courts with judges who will interpret the law without fear and with equality. We know from hard experience this is easier to say than to perform, but the goals of justice must always remain the same, that each individual in every system receive equal justice under law. We are at this very moment on the threshold of providing for every person legal counsel in any proceeding against him. This has long been in force in some of our courts and has been an ideal for all. Now we make it a reality so that no person will ever be without an advocate before the courts.

Our system of laws is new and young as compared with many of yours and we in America are deeply indebted to your older systems of law. We seek constantly to draw from all other systems the best that will advance human freedom and justice.

I therefore respectfully salute you who are the ultimate guardians of justice, for once a true judgment is declared by the courts all men of good will are reinforced in their determination to do justice, no matter what the obstacles.

Through the Judges from our country attending your meeting, who are drawn from our federal and our state courts, I send my warm personal greetings to each of you.

Please also convey my greetings to The Honorable Vincenzo Chieppa, Honorary President of the International Union of Judges, to The Honorable Jean Reliquet, President of the Union, and to all your distinguished colleagues.

Cordially yours,